

UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.

22221/1070 (RU-339)

First Inventor

O'Donnell et al.

Title

AQUIFEX AEOLICUS DELTA PRIME
POLYMERASE SUBUNIT AND USE
THEREOF

Express Mail Label No. EL983811763US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 123 pages]
(Preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications (if applicable)
 - Statement Regarding Fed sponsored R & D (if applicable)
 - Reference to sequence listing, a table, or a computer program listing appendix (if applicable)
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 82 sheets]
5. Oath or Declaration [Total Pages 12 pages]
 - a. ☐ Newly executed (original or copy)
 - b. ☐ Unsigned
 - c. ☒ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 18 completed)
 - i. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s)
named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b)
6. ☐ Application Data Sheet. See 37 CFR 1.76

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 - a. ☐ Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. ☐ CD-ROM or CD-R (2 copies); or
 - ii. ☒ paper (167 pages)
 - c. ☒ Request for Transfer of Computer Readable Record and Statement in Accordance with 37 CFR 1.821(e)

ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement [Power of Attorney]
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☒ Information Disclosure Statement (IDS)/PTO-1449 [Copies of IDS Citations]
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☐ Nonpublication request under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☐ Other:

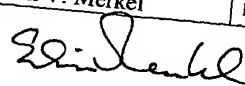
18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:
- ☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP)
- Prior application information: Examiner: R. Hutson Group/Art Unit: 1652 of prior application No.: 09/716,964

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

☐ Customer Number or Bar Code Label

19. CORRESPONDENCE ADDRESS

or ☒ Correspondence address below

| | | | |
|-------------------|---|-----------------------------------|----------------|
| Name | Nixon Peabody LLP | | |
| Address | Clinton Square, P.O. Box 31051 | | |
| City | Rochester | | |
| Country | USA | State | NY |
| Name (Print/Type) | Edwin V. Merkel | Telephone | (585) 263-1128 |
| Signature |  | Zip Code | 14603-1051 |
| | | Fax | (585) 263-1600 |
| | | Registration No. (Attorney/Agent) | 40,087 |

Date

September 26, 2003

09/26/03

16538 U.S. P.O.

FEE TRANSMITTAL FOR FY 2003

Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

Complete if Known

| | |
|----------------------|---------------------|
| Application Number | To be Assigned |
| Filing Date | Herewith |
| First Named Inventor | O'Donnell et al. |
| Examiner Name | R. Hutson |
| Art Unit | 1652 |
| Attorney Docket No. | 22221/1070 (RU 339) |

TOTAL AMOUNT OF PAYMENT

(\$ 750)

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None

☐ Deposit Account:

Deposit Account Number 14-1138

Deposit Account Name Nixon Peabody LLP

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

| Large Entity Fee Code | Large Entity Fee (\$) | Small Entity Fee Code | Small Entity Fee (\$) | Fee Description | Fee Paid |
|-----------------------|-----------------------|-----------------------|-----------------------|------------------------|----------|
| 1001 | 750 | 2001 | 375 | Utility filing fee | 750 |
| 1002 | 330 | 2002 | 165 | Design filing fee | |
| 1003 | 520 | 2003 | 260 | Plant filing fee | |
| 1004 | 750 | 2004 | 375 | Reissue filing fee | |
| 1005 | 160 | 2005 | 80 | Provisional filing fee | |

SUBTOTAL (1) (\$ 750)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

| | | | Extra Claims | | Fee from below | | Fee Paid |
|--------------------|---|---------|--------------|---|----------------|---|----------|
| Total Claims | 8 | -20** = | 0 | X | | = | 0 |
| Independent Claims | 1 | -3** = | 0 | X | | = | 0 |
| Multiple Dependent | | | | X | | = | 0 |

| Large Entity Fee Code | Large Entity Fee (\$) | Small Entity Fee Code | Small Entity Fee (\$) | Fee Description |
|-----------------------|-----------------------|-----------------------|-----------------------|--|
| 1202 | 18 | 2202 | 9 | Claims in excess of 20 |
| 1201 | 84 | 2201 | 42 | Independent claims in excess of 3 |
| 1203 | 280 | 2203 | 140 | Multiple dependent claim, if not paid |
| 1204 | 84 | 2204 | 42 | ** Reissue independent claims over original patent |
| 1205 | 18 | 2205 | 9 | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$ 0)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

| Large Entity Fee Code | Large Entity Fee (\$) | Small Entity Fee Code | Small Entity Fee (\$) | Fee Description |
|-----------------------|-----------------------|-----------------------|-----------------------|--|
| 1051 | 130 | 2051 | 65 | Surcharge - late filing fee or oath |
| 1052 | 50 | 2052 | 25 | Surcharge - late provisional filing fee or cover sheet |
| 1053 | 130 | 1053 | 130 | Non-English specification |
| 1812 | 2,520 | 1812 | 2,520 | For filing a request for <i>ex parte</i> reexamination |
| 1804 | 920* | 1804 | 920* | Requesting publication of SIR prior to Examiner action |
| 1805 | 1,840* | 1805 | 1,840* | Requesting publication of SIR after Examiner action |
| 1251 | 110 | 2251 | 55 | Extension for reply within first month |
| 1252 | 410 | 2252 | 205 | Extension for reply within second month |
| 1253 | 930 | 2253 | 465 | Extension for reply within third month |
| 1254 | 1,450 | 2254 | 725 | Extension for reply within fourth month |
| 1255 | 1,970 | 2255 | 985 | Extension for reply within fifth month |
| 1401 | 320 | 2401 | 160 | Notice of Appeal |
| 1402 | 320 | 2402 | 160 | Filing a brief in support of an appeal |
| 1403 | 280 | 2403 | 140 | Request for oral hearing |
| 1451 | 1,510 | 1451 | 1,510 | Petition to institute a public use proceeding |
| 1452 | 110 | 2452 | 55 | Petition to revive - unavoidable |
| 1453 | 1,300 | 2453 | 650 | Petition to revive - unintentional |
| 1501 | 1,300 | 2501 | 650 | Utility issue fee (or reissue) |
| 1502 | 470 | 2502 | 235 | Design issue fee |
| 1503 | 630 | 2503 | 315 | Plant issue fee |
| 1460 | 130 | 1460 | 130 | Petitions to the Commissioner |
| 1807 | 50 | 1807 | 50 | Processing fee under 37 CFR 1.17(q) |
| 1806 | 180 | 1806 | 180 | Submission of Information Disclosure Stmt |
| 8021 | 40 | 8021 | 40 | Recording each patent assignment per property (times number of properties) |
| 1809 | 750 | 2809 | 375 | Filing a submission after final rejection (37 CFR 1.129(a)) |
| 1810 | 750 | 2810 | 375 | For each additional invention to be examined (37 CFR 1.129(b)) |
| 1801 | 750 | 2801 | 375 | Request for Continued Examination (RCE) |
| 1802 | 900 | 1802 | 900 | Request for expedited examination of a design application |

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 0)

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

- ☐ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop _____, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450
- ☐ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) _____

Date

Signature

Typed or printed name

SUBMITTED BY

Name (Print/Type) Edwin V. Merkel

Signature

Registration No. 40,087
(Attorney/Agent)

Complete (if applicable)

Telephone (585) 263-1128

Date

September 26, 2003

SEND TO: Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

EXPRESS MAIL CERTIFICATE

DOCKET NO.: **22221/1070 (RU 339)**

APPLICANTS: **Michael E. O'Donnell, Alexander Yuzhakov, Olga Yurieva,
David Jeruzalmi, Irina Bruck, and John Kuriyan**

TITLE: **AQUIFEX AEOLICUS DELTA PRIME POLYMERASE
SUBUNIT AND USE THEREOF**

Certificate is attached to the **Patent Application including specification, claims
and abstract (123 pages)** of the above-named application.

EXPRESS MAIL NUMBER: **EL983811763US**

DATE OF DEPOSIT: **September 26, 2003**

I hereby certify that this paper or fee is being deposited with the United States
Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on
the date indicated above and is addressed to Mail Stop Patent Application, Commissioner
for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Shawn A. Lockett
(Typed or printed name of person mailing
paper or fee)


(Signature of person mailing paper or fee)

EXPRESS MAIL CERTIFICATE

DOCKET NO.: 22221/1070 (RU 339)
APPLICANTS: Michael E. O'Donnell, Alexander Yuzhakov, Olga Yurieva,
David Jeruzalmi, Irina Bruck, and John Kuriyan
TITLE: AQUIFEX AEOLICUS DELTA PRIME POLYMERASE
SUBUNIT AND USE THEREOF

Certificate is attached to the **Utility Patent Application Transmittal Letter (1 page) (in duplicate) and Fee Transmittal (1 page) (in duplicate)** of the above-named application.

EXPRESS MAIL NUMBER: EL983811763US
DATE OF DEPOSIT: September 26, 2003

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Shawn A. Lockett
(Typed or printed name of person mailing
paper or fee)


(Signature of person mailing paper or fee)

EXPRESS MAIL CERTIFICATE

DOCKET NO.: **22221/1070 (RU 339)**
APPLICANTS: **Michael E. O'Donnell, Alexander Yuzhakov, Olga Yurieva,
David Jeruzalmi, Irina Bruck, and John Kuriyan**
TITLE: **AQUIFEX AEOLICUS DELTA PRIME POLYMERASE
SUBUNIT AND USE THEREOF**

Certificate is attached to the copy of the **Drawings (82 sheets)** as filed in the prior application of the above-named application.

EXPRESS MAIL NUMBER: **EL983811763US**
DATE OF DEPOSIT: **September 26, 2003**

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Shawn A. Lockett
(Typed or printed name of person mailing
paper or fee)


(Signature of person mailing paper or fee)

EXPRESS MAIL CERTIFICATE


DOCKET NO.: 22221/1070 (RU 339)
APPLICANTS: Michael E. O'Donnell, Alexander Yuzhakov, Olga Yurieva,
David Jeruzalmi, Irina Bruck, and John Kuriyan
TITLE: AQUIFEX AEOLICUS DELTA PRIME POLYMERASE
SUBUNIT AND USE THEREOF

Certificate is attached to the copy of the **SIGNED Combined Declaration and Power of Attorney Form (12 pages)** as filed in the prior application of the above-named application.

EXPRESS MAIL NUMBER: EL983811763US
DATE OF DEPOSIT: September 26, 2003

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Shawn A. Lockett
(Typed or printed name of person mailing
paper or fee)


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DOCKET NO.: 22221/1070 (RU 339)
APPLICANTS: Michael E. O'Donnell, Alexander Yuzhakov, Olga Yurieva,
David Jeruzalmi, Irina Bruck, and John Kuriyan
TITLE: AQUIFEX AEOLICUS DELTA PRIME POLYMERASE
SUBUNIT AND USE THEREOF

Certificate is attached to the **Request for Transfer of Computer Readable Record and Statement in Accordance With 37 CFR 1.821(e) (1 page)** of the above-named application and a copy of the **Sequence Listing (167 pages)** as filed in the prior application of the above-name application.

EXPRESS MAIL NUMBER: EL983811763US
DATE OF DEPOSIT: September 26, 2003

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Shawn A. Lockett

(Typed or printed name of person mailing
paper or fee)



(Signature of person mailing paper or fee)